

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Lambert et al. Confirmation No.: 3281
Serial No.: 10/773,099 Group Art Unit: 3768
Filed: February 5, 2004 Examiner: Michael T. Rozanski
For: NON-INVASIVE IN VIVO MEASUREMENT OF MACULAR CAROTENOIDS

Date : February 10, 2009

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE TO
OFFICE ACTION DATED NOVEMBER 10, 2008**

Sir:

Responsive to the Office Action dated November 10, 2008, please amend the above-identified application as shown.

If any extension of time for the accompanying response or submission is required, Applicants request that this be considered a petition therefor. The Commissioner is hereby authorized to charge any additional fee, which may be required, or credit any refund, to our Deposit Account No. 50-0220.

Amendments to the Claims are reflected in the **Listing of the Claims** beginning on page 2 below.

Remarks begin on page 6 below.